

Office of the Secretary of Labor

§ 90.33

and shall have a summary of it published in the FEDERAL REGISTER.

(Information collection requirements in paragraph (a) were approved by the Office of Management and Budget under control number 1205-0194)

[42 FR 32772, June 28, 1977, as amended at 49 FR 18295, Apr. 30, 1984; 72 FR 37104, July 9, 2007]

§ 90.22 Dissemination of program knowledge and assistance to workers.

Whenever the Commission makes an affirmative finding under section 201(b) of the Act that increased imports are a substantial cause of serious injury or threat thereof with respect to an industry, the Secretary shall, to the extent feasible, make available to the workers in such industry full information about programs which may facilitate their adjustment to the import competition. He shall provide assistance to such workers in the preparation and processing of petitions and applications for program benefits.

Subpart D—General Provisions

§ 90.31 Filing of documents.

(a) *Where to file; date of filing.* Petitions and all other documents shall be filed at the Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington DC 20210. If properly filed, such documents shall be deemed filed on the date on which they are actually received in the Division of Trade Adjustment Assistance.

(b) *Conformity with rules.* Documents filed in support of the initiation of an investigation by the Director of the Division of Trade Adjustment Assistance shall be considered properly filed if they conform with the pertinent rules prescribed in this part 90. The Director may accept documents in substantial compliance with the pertinent rules of this part provided good and sufficient reason is stated in the document for inability to comply fully with the pertinent rules. The Director cannot waive

full compliance with a rule which is required by the Act.

[42 FR 32772, June 28, 1977, as amended at 52 FR 23403, June 19, 1987; 72 FR 37103, 37104, July 9, 2007]

§ 90.32 Availability of information.

(a) *Information available to the public.* Upon request to the Director of the Division of Trade Adjustment Assistance, members of the public may inspect petitions and other documents filed with the Director under the provisions of this part 90, transcripts of testimony taken and exhibits submitted at public hearings held under the provisions of this part 90, public notices concerning worker assistance under the Act and other reports and documents issued for general distribution.

(b) *Information not available to the public.* Confidential business information, defined in § 90.33 of this part, shall not be available to the public.

[42 FR 32772, June 28, 1977, as amended at 52 FR 23403, June 19, 1987; 72 FR 37104, July 9, 2007]

§ 90.33 Confidential business information.

(a) *Definition.* Confidential business information means trade secrets and commercial or financial information which are obtained from a person and are privileged or confidential, as set forth in 5 U.S.C. 552(b) and 29 CFR part 70.

(b) *Identification of information submitted in confidence.* Business information which is to be treated as confidential shall be submitted on separate sheets each clearly marked at the top, "Business Confidential." When submitted at hearings, such business information shall be offered as a confidential exhibit with a brief description of the nature of the information.

(c) *Acceptance of information in confidence.* The Director of the Division of Trade Adjustment Assistance may refuse to accept in confidence any information which he determines is not entitled to confidential treatment under this section. In the event of such refusal, the person submitting such information shall be notified and shall be